

our constitutional responsibility to fund and support our military.

Mr. Speaker, it has been more than 15 years since American and allied forces invaded Afghanistan to topple the Taliban regime and stamp out the terrorist breeding ground it harbored. Many brave Americans have given their lives in the struggle to defeat the al-Qaida terrorist threat and protect our homeland. It is incumbent on us as a nation to honor their sacrifice by never allowing it to be in vain.

So much has been given and, because of that, so much has been gained. There is no question in my mind that our country is safer and the world is freer because of the work our military has done and continues to do in Afghanistan. That is an important truth I am reminded of in a powerful way each time I visit Afghanistan, and I am compelled to share it with my colleagues here in Congress.

Mr. Speaker, I have said for years that the test for our success in Afghanistan going forward is the preservation of the gains made by women and girls. Having observed the treatment of women and girls in Afghanistan over many years now, I can tell you that the progress today is as fragile as ever.

There is good news. New laws criminalize violence toward women and offer them unprecedented legal protections. Girls are attending school and going to college. Women are working in government, serving in the military, in the police force, and even running for office. There is an Afghan Women's Chamber of Commerce that specifically works to see that women are incorporated into the nation's economic future.

For American women like me who grew up with parents telling me I could achieve anything I wanted to, those kinds of things are commonplace. For Afghan women who grew up in a culture that has subjugated them to second-class citizenship or worse, these activities are nothing short of extraordinary. Centuries of repression are being reversed, and a new generation of women that expects and demands basic rights is taking hold.

During our visit, our delegation was honored to meet with the Afghan First Lady, Mrs. Ghani, and many other women leaders. We discussed the opportunities now available to Afghan women that weren't conceivable 50 years ago under the Taliban, and most importantly they explained just how critical these gains are to the overall stability of Afghanistan.

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While it is certainly encouraging to listen to these remarkable stories of hope and progress, there exists a deep concern among Afghan women about seeing these important gains backslide and their rights erode. In fact, in some areas of the country, this is already happening. The Taliban's resurgence amid the drawdown of coalition forces presents a major threat that we must acknowledge.

Mr. Speaker, we cannot allow this to happen. We cannot allow the gains we have made in Afghanistan to fall by the wayside.

We know all too well what can happen when radical oppressive ideologies are allowed to fester in hostile nations. Make no mistake: because freedom and fairness for Afghan women is essential to the security of our Nation, it is also crucial to our own.

That is why I am pleased that President Trump is reviewing our strategy in Afghanistan, including a reevaluation of troop levels and our rules of engagement.

Simply put, if we are going to be in Afghanistan, we need to be willing to do what it takes to succeed. Of course, the Afghan people must take the reins of their country's future, but the United States will play a key role in ensuring a lasting peace.

Right now I fear we have tied the hands of our military through reduced force strength and limited rules of engagement. We should never send our military men and women into harm's way without the tools and resources they need to get the job done. Reevaluating our force strength and rules of engagement is the right decision, and I look forward to hearing from President Trump and Secretary Mattis as the NATO summit approaches.

Mr. Speaker, I am also pleased that Congress was able to deliver a comprehensive appropriations bill that properly funds our military. Funding the government by short-term extensions takes away the Pentagon's ability to plan for the future. With everything going on in the world right now, including the situation in Afghanistan, we cannot hinder our commanders with financial uncertainties.

One of the reasons I was so eager to serve on defense appropriations was having the opportunity to reverse military cuts that made no sense. For the last several years, we have been in constant tension with the Obama administration, whose sequestration policy threatened to hollow out our military. But not anymore.

Mr. Speaker, I thank my colleagues who joined me on the delegation.

FLEXIBLE FLOW MANAGEMENT PROGRAM

The SPEAKER pro tempore (Mr. MARSHALL). The Chair recognizes the gentleman from New York (Mr. FASO) for 5 minutes.

Mr. FASO. Mr. Speaker, I would like to draw the House's attention today to the ongoing negotiations between New York City and the States of New York, New Jersey, Delaware, and Pennsylvania, regarding the Flexible Flow Management Program.

The current Flexible Flow Management Program, which governs New York City reservoir releases into the Delaware River Basin, expires at the end of this month on May 31. This interstate agreement is a critically im-

portant water management tool that helps mitigate downstream impacts of New York City's reservoirs.

In addition to supporting the water allocation goals, the Flexible Flow Management Plan helps control the flow of water downstream, decreasing the likelihood of catastrophic flooding events. The FFMP also provides critical support to the Delaware River freshwater trout fishery, which is an important part of the Catskill's regional economy.

Unfortunately, if the Flexible Flow Management Plan is allowed to expire, we jeopardize the safety and well-being of constituents along the entire length of the Delaware River. The progress that has been made towards finalizing the FFMP agreement cannot be lost due to a breakdown in communications among decree party members.

I encourage all parties to return to the table from their respective States and agree to at least a 1-year extension to allow the negotiation process to continue.

Mr. Speaker, I call attention to this important issue because it greatly affects the lives and livelihoods of tens of thousands, indeed millions, of people in the entire Delaware River Valley and the Delaware River estuary, which covers New York, New Jersey, Pennsylvania, and the State of Delaware.

Mr. Speaker, I include in the RECORD a letter I sent to the four States on May 11, 2017, on this important matter.

HOUSE OF REPRESENTATIVES,

Washington, DC, May 11, 2017.

Secretary SHAWN GARVIN,
Delaware Department of Natural Resources and
Environmental Control, Dover, DE.

Commissioner BOB MARTIN,
New Jersey Department of Environmental Protection, Trenton, NJ.

Secretary PATRICK McDONNELL,
Pennsylvania Department of Environmental
Protection, Harrisburg, PA.

Commissioner BASIL SEGGOS,
New York State Department of Environmental
Conservation, Albany, NY.

Acting Commissioner VINCENT SAPIENZA,
New York City Department of Environmental
Protection, Flushing, NY.

DEAR MEMBERS: As Decree Party Members, I want to thank you all for being willing and active participants during Flexible Flow Management Plan (FFMP) negotiations over the last number of years. Your past willingness to engage with all stakeholders is admirable.

Unfortunately, I am disheartened to hear that a finalized FFMP has yet to be established. Despite the recent breakdown in the conversation, I believe that it is not too late to continue collaborative negotiations toward a final agreement. With the deadline fast approaching, it is vitally important that all Decree Party Members return to the table to continue the dialogue. Incredible reforms and relationships have been established over the last decade; we cannot let these efforts go to waste.

I understand that several proposals to improve basin management and releases have been suggested up to this point, and I urge all Decree Party Members to consider positive reforms, including:

Thermal mitigation banks to provide support to cold-water fisheries during times of thermal stress in the Pepacton, Neversink, and Cannonsville ecosystems;

Flood mitigation improvements that will decrease the risk of disastrous flooding events both above and below the dams;

Continued evaluation of the impacts of fully utilizing the F.E. Walter Dam and reservoir.

Regardless of the final changes to the FFMP, it is imperative that we not sacrifice the progress which has been made over the last number of years. All parties' specific concerns and opinions have value, but we must accept that if we are not willing to negotiate and compromise we jeopardize the safety, well-being, and economic viability of all communities within the Delaware River Basin.

I eagerly anticipate a finalized FFMP before the May 31 deadline. If a new FFMP cannot be negotiated within that time, a one-year extension should be agreed upon. Reverting back to the 1980s reservoir management approach is unacceptable.

I am more than willing to provide support as needed.

Sincerely,

JOHN J. FASO,
Member of Congress,
19th Congressional District of New York.

WESTERN WALL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. BANKS) for 5 minutes.

Mr. BANKS of Indiana. Mr. Speaker, tomorrow, President Trump will embark on his first international trip as our Commander in Chief. I am very pleased to see that one of the first countries our President will visit is Israel, a nation that is a cherished American ally and a beacon of freedom in a troubled region.

This visit comes at an important time, as recent comments by an administration official created uncertainty as to whether the U.S. Government considers the Western Wall to be within Israeli territory. Located in the heart of Jerusalem's Old City, the Western Wall is one of the holiest sites in the world and a place where millions have gathered to pray and seek the presence of God.

Jewish tradition teaches that the Western Wall was an integral part of the Temple Mount and has been an important site in Judaism for more than 2,000 years.

It is vital that the United States Government recognize the Western Wall as part of Israel and that the President should affirm that position during his upcoming trip. I am hopeful that recognizing the Western Wall will be part of a process to formally recognize Jerusalem as the capital of Israel.

REPEALING THE DURBIN AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUDD) for 5 minutes.

Mr. BUDD. Mr. Speaker, right now we are having a fierce debate in the Republican Conference over the Durbin amendment, which is a price control on debit swipe fees. Retailers have claimed that the Durbin amendment is

about competition. They have claimed that it is about restoring a broken market. They have claimed that Visa, MasterCard, and issuing banks are engaged in price-fixing on swipe fees.

This is a key element of this debate. A vote to keep the Durbin amendment is a vote that rests on the idea that Members are sure that there is price-fixing in the debit card market. There is \$6 billion to \$8 billion per year at play here, and the violation of a core free-market principle, which is the notion that government should not be telling people what they can or can't charge.

My point would be that, if you do that, if you support that degree of command and control in the economy, you have got to be sure.

And should we be sure?

I go back to the Sherman Antitrust Act, which outlaws price-fixing. This is a criminal law. Hundreds of people have been put in jail for it. You can go to jail for up to 10 years for violating it, and the law has stood for more than 100 years.

Payment networks and retailers have been fighting over whether or not Visa, MasterCard, and issuing banks are violators of the Sherman Antitrust Act for 30 years. And one of the earlier rulings goes back to 1986.

There is ongoing litigation now. In fact, there are more than 15 different cases out there on this. Litigation, I would add, that the retailers have never won when cases went to trial. In the major cases that we have managed to find, they are 0-3.

They are actually in the middle of another big case right now. There was a settlement, and later a higher court set it aside. A sentence of that ruling reads:

"Discovery included more than 400 depositions, 17 expert reports, 32 days of expert deposition testimony, and the production of over 80 million pages of documents."

Eighty million pages. I have studied this issue for months, and I have not read 80 million pages. I am a retailer, and I have paid thousands of dollars in swipe fees, so I know the difference between point of sale and Square mobile payments. I have used these systems, but I still don't know.

That is why I oppose the Durbin amendment: because I am not sure that this price control is necessary. Therefore, I put the Federal Government in the role of judge, jury, and executioner for the payment industry. For me to do that, I would have to be sure.

I know that the government wasn't sure when they came up with the regulation. They originally came up with 12 cents per transaction. Then the final rule finally came in at 24 cents.

Were they right the first time?

Were they wrong the second time?

There is no way to know for sure.

I guarantee you that when we walk down to this floor and we vote on this issue and choose to uphold a policy which many free-market think tanks

have said harms consumers, Members will not have read 80 million pages. If we are honest with ourselves, most will not have read 80 pages. There is no way we could, given everything that is in front of the Federal Government, even if we wanted to.

Economist F.A. Hayek got at this in his criticism of the planned economy. He said that socialism doesn't work because of what he called "the unavoidable imperfection of man's knowledge."

Hayek was referring to human beings at large. I would offer that the knowledge of politicians—speaking for myself, in particular—must be that much more imperfect.

You don't have to believe that the banks are angels, and you don't have to disbelieve the retailers to oppose the Durbin amendment. You just have to feel a bit of doubt either way.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 55 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Pastor Glen Berteau, The House Modesto, Modesto, California, offered the following prayer:

God, Your Word says that unity and light extinguish darkness and chaos. We debate opinions while not recognizing that You are the answer. Behind me the words "In God We Trust" are not a suggestion.

God, we have told You to leave, but come back to our schools, our businesses, our streets, our families, our government. I ask You to fill the political seats in America with God-fearing, God-following leaders. I pray for our Nation to stop rising up in division against one another and instead kneel down and pray for one another.

Instead of petitioning opinions and protest, we petition You in prayer. I pray for hate to dissipate from the heart of our society. Lord, You are our protection, our sustaining power.

Protect our first responders. Protect our powerful military. Protect the citizens of this great Nation, and let us not forget that You are our national security.

In Jesus' name.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.